

REMARKS

5 The examiner has indicated that the applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits from the following species of the claimed invention:

- I: Claims 1-25, drawn to a device and method of sampling a power of a laser, classified in class 369, subclass 53.26
- II: Claims 26-30, drawn to a method of calibrating the automatic power control, classified in class 369, subclass 116

10 Response:

The applicant hereby elects the following species:

- I: Claims 1-25, drawn to a device and method of sampling a power of a laser, classified in class 369, subclass 53.26**

15 for prosecution on the merits in response to the above election requirement. The claims readable on the elected species are claims 1-25.

Accordingly claims 26-30 are cancelled without prejudice or disclaimer to the subject matter thereof; however, the applicant reserves the right to file divisional applications based on these claims.

20 No new matter is introduced in this Office action. Consideration of claims 1-25 readable on the elected species is requested.

Sincerely yours,

Winston Hsu

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- 10 Note: Please leave a message in my voice mail if you need to talk to me. (The time in D.C. is 12 hours behind the Taiwan time, i.e. 9 AM in D.C. = 9 PM in Taiwan.)